

City of Fort Lauderdale

*City Hall
100 North Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov*



Meeting Minutes

Tuesday, December 19, 2017

1:30 PM

City Commission Conference Room

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

***JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
ROBERT L. McKINZIE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV***

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney***

ROLL CALL

Present 5 - Commissioner Romney Rogers, Vice Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, Commissioner Robert L. McKinzie, and Mayor John P. "Jack" Seiler

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, City Auditor John Herbst, and Sergeant at Arms Nicholas Coffin

No e-comments were submitted for this meeting.

CALL TO ORDER

Vice Mayor Roberts called the Conference Meeting to order at 1:34 p.m.

CITY COMMISSION REPORTS

Members of the Commission announced recent and upcoming events and matters of interest.

Commissioner Trantalis commented on the success of the Winterfest Boat Parade and commenting it is a signature event.

Mayor Seiler arrived at 1:38 p.m.

Commissioner Trantalis discussed complaints received about the condition of the wave wall and lighting system. City Manager Feldman discussed the cause of the damage, stating it was due to the sand restoration project. It is on the list for repairs. Commissioner Trantalis also commented on the amount of sand remaining at the Ocean Side Parking Lot.

Commissioner Trantalis raised Las Olas Isles' concerns and desire to install additional area crosswalks. City Manager Feldman confirmed that area is a state road. There are active ongoing discussions to change this to a City road in conjunction with ongoing work on the beach side of Las Olas Bridge. Should this occur, the installation of additional crosswalks by the City will be plausible.

Commissioner Rogers discussed the SE 17th Street area, noting County plans have been finalized for hotel construction. In response to Commissioner Rogers' question, City Manager Feldman confirmed there would be an opportunity for neighborhood input and changes to those plans.

Commissioner Rogers commented on the status of the repair to the 30-inch wastewater line now in operation. City Manager Feldman confirmed the project is on budget and on time.

Commissioner Rogers and Mayor Seiler discussed Mr. John Aurelius, the new alternate member appointee for the Board of Adjustment, being included on Item R-1 at tonight's Regular City Commission Meeting. City Clerk Jeffrey Modarelli confirmed.

Commissioner Rogers discussed completion of renovations to South Side School and the upcoming ribbon cutting ceremony for the newly named South Side Cultural Arts Center. Comments ensued on the costs of improvements.

Commissioner Rogers raised the issue of parking concerns with the County. In response to Mayor Seiler, City Manager Feldman confirmed correspondence to the County had been sent, stating an additional letter to the new County Mayor will also go out.

Commissioner McKinzie discussed the Martin Luther King Project, Jr. Project (Project) located on Sistrunk Boulevard and ensuring it is completed prior to the MLK Parade (Parade). Alan Dodd, Deputy Public Works Director, confirmed they are working with the contractor to ensure the Project is completed prior to the Parade.

Commissioner McKinzie and Vice Mayor Roberts commented on the informative *Let's Go Walking Event*, showcasing the Northwest area. This event was held in conjunction with the Metropolitan Planning Organization, FDOT, and the Transportation and Mobility Department. Discussions ensued on newly opened businesses and those coming to the Northwest area.

Commissioner McKinzie commented on the need to think smart during the holiday season, advising residents not leave holiday purchases in vehicles.

Vice Mayor Roberts asked City Manager Feldman about possible changes to Cemetery Trust Fund investments. City Manager Feldman commented on two issues regarding the Cemetery Trust Fund: determine the amount of funds needed for perpetual care; and the requirement that members of the Cemetery Board of Trustees and the Pension Fund Board of Trustees participate in the state-mandated 8 hours of fiduciary training. It was confirmed that this will be addressed by each Board Chair. Mayor Seiler recommended the Board participate in the 8-hour mandatory training in a local all-day workshop. City Manager Feldman acknowledged, confirming he will monitor compliance and address any needed follow-up with the Commission.

In response to Commissioner Trantalis's question, City Manager Feldman discussed the balance in the Cemetery Trust Fund Perpetual Care Fund (Fund) and the required amount to maintain the cemeteries in perpetuity. Further discussions ensued on the spending and replenishment of this Fund. Vice Mayor Roberts requested the Cemetery Board of Trustees (Board) be thoroughly involved in this process. Commissioner McKinzie commented on the recent audit and on the importance of being cognizant of fiduciary responsibilities, management and investments.

Mayor Seiler commented on the success of the Joint Workshop with the Infrastructure Task Force Committee. Mayor Seiler discussed similar conversations at the League of Cities Conference about issues concerning Hurricane Irma. He also commented on the Winterfest Boat Parade.

In response to Vice Mayor Roberts' inquiry, City Manager Feldman discussed the Outdoor Music Ordinance adopted approximately two years ago, stating there have been a minimal amount of applications. Further comments and discussions ensued on local talent and other opportunities.

In response to Mayor Seiler's question regarding the Pier 66 property, City Manager Feldman responded that there have been preliminary discussions with the new owners. He acknowledged the need to develop a plan memorializing an agreement with the new owners moving forward. Further discussions and comments ensued on this topic. Mayor Seiler discussed the need to be proactive and notify the new owners, being clear as to what can and cannot be developed. City Manager Feldman said development permissions have not expired. Commissioner Rogers

commented on his discussions with the new owners. Further comments and discussions ensued. Mayor Seiler confirmed he would request the new owners draft a document to be sent to the City Attorney's Office for review.

Mayor Seiler raised the issue of the First World War II Medal of Honor Recipient Lieutenant Alexander R. "Sandy" Nininger who died during his military service in the Philippines. Lieutenant Nininger's body is still considered missing, though buried in a cemetery in Manila, Philippines. Lieutenant Nininger's family has requested assistance with having his body brought home. Discussions ensued on initiating a letter-writing campaign to members of Congress and the Department of Defense to achieve this goal. Further discussions and comments ensued on supporting the family's wishes.

PRESENTATIONS

PRES- [17-1529](#)
1

Congressman Ted Deutch's Congressional Record - Presented by Theresa Brier, Deputy District Director

Mayor Seiler recognized Theresa Brier, Deputy District Office Director for Congressman Ted Deutch. Ms. Brier presented an excerpt from the *Congressional Record* read by Congressman Deutch. It recognized the City's work on human rights, non-discrimination laws and support of equality. Ms. Brier read the excerpt in its entirety.

A copy of this excerpt from the Congressional Record is attached to these minutes.

OLD/NEW BUSINESS

BUS-1 [17-1511](#)

Algal Blooms and Bacteria Sampling Results in City Coastal Waterways

Mayor Seiler recognized Dr. Nancy Gassman, Assistant Public Works Director. Dr. Gassman reviewed test results from Broward County regarding the algae bloom which occurred in the August-October 2017 timeframe. Dr. Gassman clarified a discussion from the last meeting concerning algae blooms, expounding on its cause. South Florida algae blooms are associated with the release of fresh water from inland canals containing a large number of nutrients. They are normally seen in the summer and the fall and are associated with warm water and calm water conditions. In low concentrations, the blooms do not cause many

concerns.

Dr. Gassman discussed timelines of complaints received, results of laboratory testing and recommendations from the Florida Department of Environmental Protection (FDEP). FDEP did not recommend any further action from the City. However, experts from the state came and did sampling.

As illustrated in the PowerPoint presentation, Dr. Gassman discussed 2017 efforts and monitoring throughout the state. She also discussed historic data and 2017 seasonal data from Broward County (County). Dr. Gassman commented on various sources contributing to algae blooms and the health of waterways. Dr. Gassman reviewed test results and coordination with the FDEP and the County regarding analyzing and monitoring the algae blooms and health concerns. She discussed results of this testing as noted in the slide presentation.

Dr. Gassman confirmed there have been no reports of algae blooms since November 1, 2017. Further discussions ensued on the sources and development of algae blooms and the need to be proactive in addressing these concerns. Dr. Gassman expounded on efforts to improve water quality by addressing stormwater prior to discharge. She discussed efforts and concerns relating to the National Poison Data Service (NPDS) Permit, a requirement of the County and all municipalities. As required with the issuance of the NPDS Permit, the North Fork of the New River was identified in 2017 as a priority body of water. Dr. Gassman discussed work towards improving its water quality. She confirmed in the unincorporated area of the North Fork of the New River, the County and State have also worked to address improving water quality.

Discussions continued on changes to area waterways. Dr. Gassman confirmed the composition of waterways is impacted by saltwater intrusion into fresh waterways that results from sea level rise. Warm water conditions allow bacteria to linger for longer periods of time. Algae blooms are also impacted by runoff from high rainfall levels. Further comments, discussion, and questions ensued on the numerous causes of water and safety concerns.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on infrastructure issues that could impact water quality.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue. Mr. Rosenthal commented on the competent work of Staff on this issue as compared to other local municipalities. He also commented on the City's low tax rates as compared to other areas in the state.

A copy of Dr. Gassman's presentation with detailed information is attached to these minutes.

BUS-2 [17-1461](#)

Phase II Stormwater Master Plan Modeling and Design
Implementation Presentation

Mayor Seiler recognized Alan Dodd, Deputy Director of Public Works. Mr. Dodd reviewed efforts to date to address stormwater issues. He introduced Robert Taylor, Vice President of Hazen and Sawyer, P.C.

Mr. Taylor reviewed the scope of the Phase II Stormwater Master Plan Modeling and Design Implementation Program (Program) awarded on April 19, 2016. He reviewed the Hazen Team's PowerPoint presentation entitled Stormwater Master Plan Modeling and Design Implementation Update, giving an overview of future actions necessary for successful implementation of infrastructure improvements and based on multiple sources of data.

The Program's scope includes Citywide stormwater modeling, infrastructure data collection and input, watershed planning, stormwater and the design of associated systems, Engineer of Record (EOR) design services, and community outreach to address flooding issues identified in the Community Investment Plan (CIP).

Mr. Taylor expounded on the type and benefits of the state-of-the-art data collection methods input into the geodatabase. He answered Commission questions regarding data collection technology, commenting on the integration of traditional infrastructure survey data collection, data collection and integration into the geodatabase. Questions and comments ensued on area elevations.

In response to Commission questions, Mr. Taylor explained that the model gives numerous sources and aspects of stormwater runoff from the local watersheds as well as sea level rise, commenting that both contribute to local flooding.

The Program's milestones to date include:

Topographical mapping of the entire City using high-density LiDAR technology, combined with traditional field surveying techniques for data collection of below-ground stormwater infrastructure;

Development and implementation of a stormwater model with a comprehensive basin-by-basin analysis to identify and analyze flood-prone areas throughout the City;

Stormwater improvements are being developed and fully coordinated with neighbor involvement. There has been a citywide community outreach program consisting of in-person meetings/presentations to homeowner associations and other civic groups with the Edgewood, River Oaks, Dorsey Riverbend, Durrs, Progresso Village, Victoria Park, and South East Isles neighborhoods (Neighborhoods);

Development of comprehensive engineering solutions, including complete design plans and specifications, for the seven priority flood prone Neighborhoods identified in the updated stormwater model; and

Development of probable cost estimates to be used for funding and budgeting.

By January 2018, the Hazen Team will have substantially completed engineering designs and associated cost estimates for neighborhood-wide projects that will resolve chronic flooding issues in the Neighborhoods. The engineering designs and cost estimates will serve as the basis to substantiate funding requirements for construction of comprehensive stormwater improvements that will minimize flooding incidents.

In response to Commission questions, Mr. Taylor reiterated the model includes numerous sources and the aspects of stormwater runoff from the local watersheds and sea level rise.

Dr. Nancy Gassman, Assistant Public Works Director, confirmed the use of several projected sea level rise models which are dependent upon high-risk and high-value factors, explaining that the criteria are dependent upon the type infrastructure project. She expounded on and confirmed the Southeast Regional Florida Compact Projection (Compact Projection) is used for planning purposes and future sea level rise projections. The Compact Projection data updates projections every five years.

The topic of high-level, high-value infrastructure development criteria and analysis was explained and discussed. Dr. Gassman confirmed there are industry standards for many infrastructure lifecycles. Discussions continued about planning for infrastructure with varying lifecycles and analyzing current and new infrastructure needs, including the George T. Lohmeyer Water Treatment Plant.

Mr. Taylor reviewed each of the Neighborhood's vulnerabilities, flooding concerns and associated Design Team Consultant. He explained that these neighborhoods were parceled out to allow the evaluation process to move expeditiously. Explanations and discussions ensued on the sources of flooding and lack of sufficient stormwater infrastructure in each of the Neighborhoods. Mr. Taylor confirmed this Program addresses these issues with additional storm sewers and pump stations.

Mr. Taylor reviewed proposed improvements to address water quality that promotes infiltration of stormwater runoff. These improvements include water-quality structures, permeable pavement, exfiltration trenches, swales and the creation of wetlands. Mr. Taylor commented on the Program's proposed stormwater preserve in the River Oaks area. Comments and discussions ensued on this topic.

Mr. Taylor expounded on information gathered from soil boring and surveys used to support the proposed design work. Standard details and specifications have been created for this phase of the Program as well as future Program phases (illustrated in slide 18). Questions and comments ensued on this topic.

Mr. Taylor confirmed Neighborhood designs were developed via input from the public, City records (including repetitive loss properties) and modeling efforts. Comments ensued on the future possibility of raising roadways. Discussions ensued on the need to fortify areas with tidal influences such as The Isles.

Fortifying barriers to tidal influences was discussed. Storm sewers currently drain onto roadways and properties. Dr. Gassman confirmed the City has installed tidal-check valves that serve to prevent backflow. To date, 136 tidal-check valves had been installed. The Hazen Team is proposing the installation of an additional 100 tidal-check valves.

City-owned seawalls will need to be raised. Discussions ensued on

future sea level rise projections and the need to ensure seawall elevations will be adequate for the next 20-30 years.

In response to Vice Mayor Roberts' question, Dr. Gassman confirmed that Broward County (County) had engaged the Army Corps of Engineers Study (Study) to determine protective seawall elevations throughout the County. Pending the outcome, this information will assist in determining what should be required regarding seawall elevations. The Study should be completed within the next year. Dr. Gassman commented on the current Ordinance's lower base elevation and upper allowable seawall elevation limits. She stated much of the new construction is building to the higher allowable elevation. Additional discussion ensued of sea level rise projects in conjunction with future extreme high tides and base seawall elevations.

In response to Commissioner Trantalis' concerns, Mr. Taylor confirmed the next phase of the Program should address seawall elevations on Bayshore Drive and portions of The Isles in District II. Discussions continued on tidal valve engineering to prevent backflow onto streets and the work of pump stations in low lying areas to combat the implications of concurrent high rainfall and high tides. Mr. Taylor said this needs to be done in the appropriate sequencing. He commented on the need for a sequenced, phased approach to utilizing funds wisely, reviewing items in this phase of improvements to address needs in the Neighborhoods (slide 22 of Mr. Taylor's attached presentation).

Commission discussions ensued on the need for smart investing and the appropriate sequencing of incremental changes versus ultimate change, i.e., fundamental changes to topography. Mr. Taylor confirmed that at this point, the Program is not recommending raising roadways. It may be part of the next phase of improvements. Discussions ensued on the timeline to do more fundamental changes to the topography. Mr. Taylor noted certain areas would require a systematic, phased approach that will require both public and private property modifications, stating that some private property owners would be required to raise their seawalls and property perimeters.

City Manager Feldman commented on the use of several engineering companies' services that have partnered on this Program which has allowed multiple perspectives on determining the best solutions.

Commissioner McKinzie discussed new homes being built based on

FEMA guidelines and raised roads causing drainage issues. He also discussed new construction elevation impacting surrounding neighbors and the need to find a mechanism for addressing stormwater runoff. Discussions continued on these parcels being absorbed into area drainage system or being dealt with independently.

Mr. Taylor said confirmed this phase's construction cost in today's dollars is currently estimated at over \$160 million for the Seven Neighborhoods (+20%/-5 %). These preliminary costs will be firmed up to +10% or -5%.

In response to Vice Mayor Roberts' question, Mr. Taylor explained aspects of permeable pavement and its increased use in green infrastructure. Permeable pavement is porous pavement. The rainwater falls and percolates into the ground as opposed to running off. Although it is expensive, it is ultimately less costly than installing stormwater infrastructure.

Mr. Taylor reviewed improvements to the Neighborhoods and approximate costs. Based on the 280-290 miles of existing storm sewer, the new 13 miles of new storm sewer represents an approximate 5% increase in overall inventory. The fact that they are small causes hydraulic constriction. The replacement sewer lines will be larger and will have a longer lifecycle than current infrastructure. He also discussed certain best practices.

Mr. Taylor discussed specific details and specifications for various future scenarios. Additional comments and discussions ensued on specific aspects of modeling and sequencing efforts. The Program's recommendation for Pump Stations more than doubles current inventory. The 14 seawalls replacements equate to just over one mile. It was noted that most of the existing sewer lines are decades old. Assets in the Neighborhood are being renewed as well as improved. Specific Neighborhood recommendations are noted in the PowerPoint presentation (slide 23 of Mr. Taylor's attached presentation).

Mr. Taylor reviewed and expounded on public outreach that has been practiced as part of the Program's planning and design. Two rounds of public meetings with the Neighborhood Associations have occurred, and a third is planned for January or February 2018.

Mr. Taylor confirmed meetings held with Broward County and FDOT regarding the Program. He also discussed permitting of the Citywide

Model. Mr. Taylor discussed its importance due to the County's desire to use it as a permitting tool.

Mr. Taylor noted discussions with FDOT regarding Joint Participation Agreements (JPA) that may serve to defray costs and assist with funding. He also commented on the permitting process and regulatory comments that will be finalized in the design documents. Once funding for the Program is determined, the bid process will start.

Mr. Taylor confirmed this Program is the initial phase of improvements. The Program should continue to be an evolving state of improvements to ensure resiliency. He recommended continued, ongoing communications with the public to determine the next improvement phase and associated timelines.

In response to Commissioner Rogers' question about anticipated timeframes, Mr. Taylor confirmed the projects should go out to bid sometime in 2018, stating there are different timelines for the various projects. Mr. Taylor noted phase one's timelines range from 2018 - 2024. Discussions ensued about rating critical areas and priorities of the Neighborhoods' projects to determine which to let first. Mr. Taylor commented on the need for certain projects to run concurrently or have a specific order, i.e., Dorsey before or concurrent with Riverbend and Edgewood before or concurrent with River Oaks. Additional timelines for completion were discussed. It was noted they would vary.

Mr. Taylor discussed the importance of scheduling and staging projects to avoid service and traffic disruption. He also noted the need to set an appropriate pace for projects to ensure competitive bidding. Though not included in the scope of work, Mr. Taylor confirmed his commitment to work with Paul Berg, Alan Dodd, Staff, and the Team to work through these issues.

Mr. Dodd commented on sequencing and overlaying currently for planned water and sewer projects to maximize savings.

A copy of Mr. Taylor's presentation is attached to these minutes.

BOARDS AND COMMITTEES

BD-1 [17-1504](#)

Board and Committee Vacancies

The Commission discussed future Board and Committee appointments.

City Clerk Jeffrey Modarelli read the names of appointees for Resolution R-1 being voted on tonight at the December 19, 2017 Commission Regular Meeting. As confirmed earlier in this meeting, tonight's Resolution will be amended to include Mr. John Aurelius as the new alternate member appointee for the Board of Adjustment.

A copy of the Resolution is attached to these minutes.

CITY MANAGER REPORTS

None.

ADJOURNMENT

Mayor Seiler adjourned the Commission Conference Meeting of December 19, 2017 at 3:55 p.m.